

Ordinance No. 10-027

An ordinance changing the zoning classification on certain property known as 2000 South Watson Road by the approval of specific use permit SUP09-21 for gas drilling; amending the Zoning District Map accordingly; providing for a fine of up to \$2,000.00 for each violation; providing this ordinance be cumulative; and providing for severability, governmental immunity, injunctions, publication, and an effective date.

WHEREAS, after notice and public hearing the Planning and Zoning Commission heard case SUP09-21 and recommended approval of the specific use permit on December 9, 2009;

WHEREAS, after notice and public hearing, and upon consideration of the recommendation of the Commission and of all testimony and information submitted during the public hearing, the City Council has determined that the use will: complement or be compatible with the surrounding uses and community facilities; contribute to, enhance or promote the welfare of the area of the SUP and adjacent properties; not be detrimental to the public health, safety or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the City Council has determined that it is in the best interest of the public and in support of the health, safety, morals, and general welfare of the citizens that the zoning amendment be approved. Now therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

1.

A Specific Use Permit for gas drilling is hereby granted for the property known as 2000 South Watson Road, described in Exhibit A, and the Zoning District Map shall be amended to reflect the zoning change made by this ordinance. Development and use of the property shall be in compliance with this ordinance, the conditions stated in Exhibit B, and the attached site plan. In the event of a conflict between the provisions in Exhibit B and the provisions in any other exhibit, the provisions in Exhibit B control.

2.

If either no gas well permit is issued or drilling activity has not commenced on the property described in Exhibit A within one year after the date of City Council approval, the Specific Use Permit shall expire, unless the director of Community Development and Planning grants an extension as provided in Section 5-500(F) of the Zoning Chapter of the Arlington City Code.

3.

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed Two Thousand Dollars and No Cents (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

4.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington; and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

5.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

6.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

7.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

8.

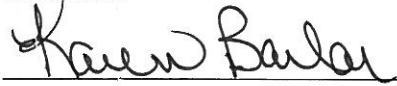
The caption and penalty of this ordinance shall be published in a newspaper of general circulation in the City of Arlington, Texas, in compliance with the provisions of Article VII, Section 15, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

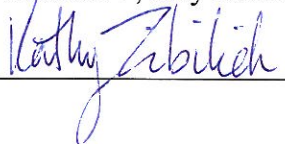
9.

This ordinance shall become effective upon second publication.

PRESENTED AND GIVEN FIRST READING on the 12th day of January, 2010, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the 26th day of January, 2010, by a vote of 8 ayes, 0 nays, and 1 abstention at a regular meeting of the City Council of the City of Arlington, Texas.


ROBERT N. CLUCK, Mayor

ATTEST:

KAREN BARLAR, City Secretary

APPROVED AS TO FORM:
JAY DOEGEY, City Attorney
BY 

SUP09-21

EXHIBIT "A"

BEING a 5.601-acre tract of land located in the P. Caldwell Survey, Abstract No. 364, in the City of Arlington, Tarrant County, Texas, being a portion of a called 20.629-acre tract of land as described in the Special Warranty Deed to North Texas Acquisition, LLC, filed for record in County Clerk's Instrument No. D208306504, Deed Records, Tarrant County, Texas, now known as Chesapeake Land Development, LLC by Affidavit Regarding Certificate of Merger and Amended Articles of Organization, filed for record in County Clerk's Instrument No. D209046006, of said Deed Records, and being a portion of Lot 2R1, Block CR, Pioneer Village, an addition to the City of Arlington, Tarrant County, Texas, according to the plat recorded in Cabinet A, Slide 3812, Plat Records, Tarrant County, Texas, said 5.601-acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a ½-inch capped iron rod found stamped "Discuillo Terry" for the northwest corner of said Lot 2R1, same being the northwest corner of said called 20.629-acre tract of land;

THENCE South 00°06'00" East, along the west line of said Lot 2R1, being common to the east line of Block C, Forum Village Addition, an addition to the City of Arlington, Tarrant County, Texas, according to the plat recorded in Volume 388-108, Page 44, of said Plat Records, a distance of 205.49 feet, to the POINT OF BEGINNING;

THENCE over and across said Lot 2R1, the following calls:

North 89°54'00" East, a distance of 400.00 feet, to a point for corner, from which a ½-inch capped iron rod found stamped "Dunaway & Assoc." for the northeast corner of said Lot 2R1 bears North 60°43'34" East, a distance of 420.80 feet;

South 00°06'00" East, a distance of 610.00 feet, to a ½-inch capped iron rod found stamped "Beasley RPLS 4050";

South 89°54'00" West, a distance of 400.00 feet, to a ½-inch capped iron rod found stamped "Beasley RPLS 4050" on the west line of said Lot 2R1, from which a 5/8-inch capped iron rod found stamped "RPLS 1890" for the westernmost southwest corner of said Lot 2R1 bears South 00°06'00" East, a distance of 401.89 feet;

THENCE North 00°06'00" West, along the west line of said Lot 2R1, being common to the east line of said Block C, Forum Village, a distance of 610.00 feet, to the POINT OF BEGINNING and containing 5.601 acres of land, more or less;

AND being generally located north of East Pioneer Parkway and west of South Watson Road with the approximate address being 2000 South Watson Road

EXHIBIT “B”

1. Operation of a gas drilling use must comply with all requirements in the Gas Drilling and Production Chapter of the Arlington City Code.
2. At the permit stage, a Road Damage Assessment Study is required to mitigate any impacts to the street system during drilling.
3. At the permit stage, all required tree mitigation will be met.
4. After completion of all wells, a solid masonry wall with a minimum height of eight feet and landscaping must enclose all completed wells and tanks located within the operation site. A minimum of one gate, twelve feet wide, must be installed. Landscaping should consist of trees which must be chosen from the Texas Smartscape List. A detailed landscape plan and plant schedule must be provided upon drilling permit submittal.
5. The property owner shall be responsible for the installation, preservation, and maintenance of all landscaping and physical features shown on this site plan.
6. Applicant shall do the following activities at the site prior to the issuance of a gas well permit, but no later than two years after the approval date of the Specific Use Permit (SUP): The boundary of the SUP site, with the exception of the access point, shall be landscaped with a level one transitional buffer in accordance with the zoning ordinance. The applicant will provide a covenant by separate instrument if the buffer is outside the SUP area.
7. The owner shall provide an opaque fence to screen the north and east sides of the temporary frac pond.
8. Use and development of the property must be in compliance with the attached site plan.
9. In the event of a conflict between the provisions in this Exhibit B and any other exhibits to this ordinance, the provisions of Exhibit B control.

AC 360 DRILL SITE

CURRENT ZONING

"CS" COMMUNITY SERVICE

PROPOSED ZONING

"CS" COMMUNITY SERVICE WITH A
SPECIFIC USE PERMIT FOR GAS DRILLING

OWNER

CHK LAND DEV. CO LLC
6100 N. WESTERN AVE
OKLAHOMA, OK 73118

DEVELOPER

CHESAPEAKE ENERGY CORPORATION
100 ENERGY WAY
FORT WORTH, TEXAS 76102
CONTACT: DUSTY ANDERSON
TEL: 817-502-5645
FAX: 817-810-0170

ENGINEER/SURVEYOR

MYCOSKIE+MCINNIS+ASSOCIATES
200 E. ABRAM STREET
ARLINGTON, TEXAS 76010
CONTACT: JACOB SUMPTER, AICP
TEL: 817-469-1671
FAX: 817-274-8757

LEGAL DESCRIPTION

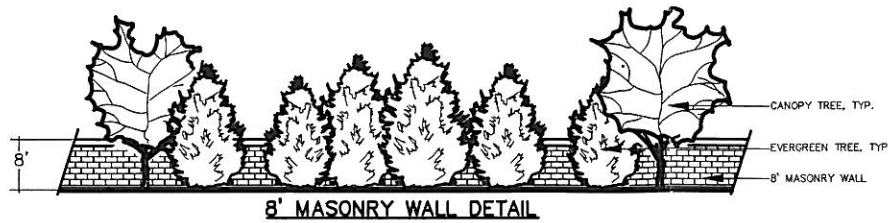
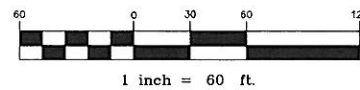
BEING A 5.601 ACRE PORTION OF A
CALLED 20.629 ACRE TRACT OF LAND
AS DESCRIBED IN THE SPECIAL
WARRANTY DEED TO NORTH TEXAS
ACQUISITION, L.L.C., A TEXAS LIMITED
LIABILITY COMPANY, FILED FOR RECORD
IN COUNTY CLERK'S INSTRUMENT NO.
D208306504, DEED RECORDS, TARRANT
COUNTY, TEXAS.

LAND USE

- | | |
|--------------------|----------|
| 1. GROSS AREA | 5.601 AC |
| 2. WELL PAD | 3.673 AC |
| 3. TEMP. FRAC POND | 1.928 AC |

NOTES

- AFTER COMPLETION OF ALL WELLS, A SOLID MASONRY WALL WITH A MINIMUM HEIGHT OF EIGHT FEET AND LANDSCAPING MUST ENCLOSE THE OPERATION SITE. A MINIMUM OF ONE GATE, TWELVE FEET WIDE, MUST BE INSTALLED. LANDSCAPING SHOULD CONSIST OF TREES CHOSEN FROM THE TEXAS SMARTSCAPE LIST. A DETAILED LANDSCAPE PLAN AND PLANT SCHEDULE MUST BE PROVIDED UPON DRILLING PERMIT SUBMITTAL.
- THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR THE INSTALLATION, PRESERVATION, AND MAINTENANCE OF ALL LANDSCAPING AND PHYSICAL FEATURES SHOWN ON THIS SITE PLAN.
- ALL REQUIRED TREE MITIGATION WILL BE MET AT THE PERMITTING STAGE.
- THE BOUNDARY OF THE SUP SITE, WITH EXCEPTION OF THE ACCESS POINT, SHALL BE LANDSCAPED WITH A LEVEL ONE TRANSITIONAL BUFFER IN ACCORDANCE WITH THE ZONING ORDINANCE.
- TREES ALONG THE NORTH SIDE OF THE WELL PAD SHALL BE INSTALLED AT COMPLETION OF THE LAST WELL.



NOTES:

- LANDSCAPING SHALL BE PROVIDED AS SHOWN ON THIS SPECIFIC USE PERMIT.

UNDEVELOPED
CS
COMMUNITY SERVICE

UNDEVELOPED
CS
COMMUNITY SERVICE

OPAQUE FENCE TO
BE LOCATED ON THE
NORTH SIDE OF
FRAC POND

EXISTING
TREE MASS

EXISTING
TREE MASS

EX. 7.5' U.E.
VOL. 388-108, PG. 44
P.R.T.C.T.

EX. 15' U.E.
CAB.A, SLIDE 1726
P.R.T.C.T.

TEMPORARY
POND
1.928 AC

WELL PAD
3.673 AC

8' MASONRY
SCREEN WALL

OPAQUE FENCE TO
BE LOCATED ON THE
EAST SIDE OF FRAC
POND

TREES ALONG NORTH
SIDE OF WELL PAD TO
BE INSTALLED AT
COMPLETION OF THE
LAST WELL.

GATE WITH KNOX
LOCK (12' MINIMUM)

30' PRIVATE
ACCESS DRIVE
(CALICHE MATERIAL)

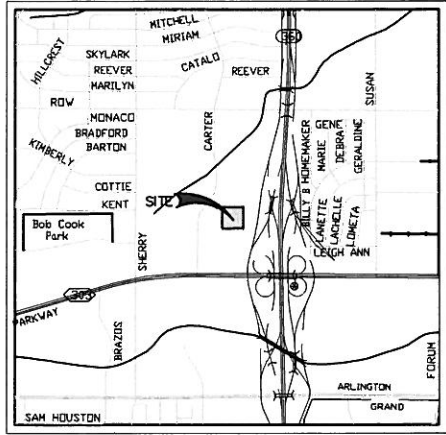
EVERGREEN TREE, TYP.

CANOPY TREE, TYP.

UNDEVELOPED
CS
COMMUNITY SERVICE

UNDEVELOPED
CS
COMMUNITY SERVICE

50' TESCO Esmt
VOL. 1460, PG. 336
VOL. 1540, PG. 436
VOL. 3094, PG. 250
D.R.T.C.T.



VICINITY MAP
NTS

STATE HIGHWAY 360
FRONTAGE ROAD

THIS DOCUMENT IS RELEASED FOR SPECIFIC USE
PERMIT APPROVAL BY THE CITY OF ARLINGTON
AND IS NOT INTENDED FOR PERMITTING,
BIDDING, OR CONSTRUCTION PURPOSES.

AC 360 DRILL SITE
SPECIFIC USE PERMIT
2000 S. WATSON ROAD
ARLINGTON, TX

PROJECT TITLE:

AC 360 DRILL SITE
SPECIFIC USE PERMIT

m|ma

mycoskie+mcinnis+associates
civil engineering surveying landscape architecture planning

200 east abram
arlington, texas 76010
817-469-1671
fax: 817-274-8757
www.mma-texas.com

Chesapeake
ENERGY

PROJECT NUMBER: 2462-00-01

PROJECT MANAGER: J.SUMPTER

DRAWN BY: J.SUMPTER

CHECKED BY: J.SARABIA

ISSUE DATE: 9/11/09

SHEET CONTENT:

SUP PLAN
CASE #SUP09-21

SHEET NO:

1 OF 3

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**AC 360 DRILL SITE
SPECIFIC USE PERMIT**
2000 S. WATSON ROAD
ARLINGTON, TX

PROJECT TITLE:
**AC 360 DRILL SITE
SPECIFIC USE PERMIT**

m|ma
mycoskie+mcinnis+associates
civil engineering surveying landscape architecture planning
200 east obrom
arlington, texas 76010
817-469-1671
fax: 817-274-8757
www.mmatexas.com



PROJECT NUMBER: 2462-00-01
PROJECT MANAGER: J.SUMPTER
DRAWN BY: J.SUMPTER
CHECKED BY: J.SARABIA
ISSUE DATE: 9/11/09

SHEET CONTENT:
**600' BUFFER
EXHIBIT**

SHEET NO:
2 OF 3

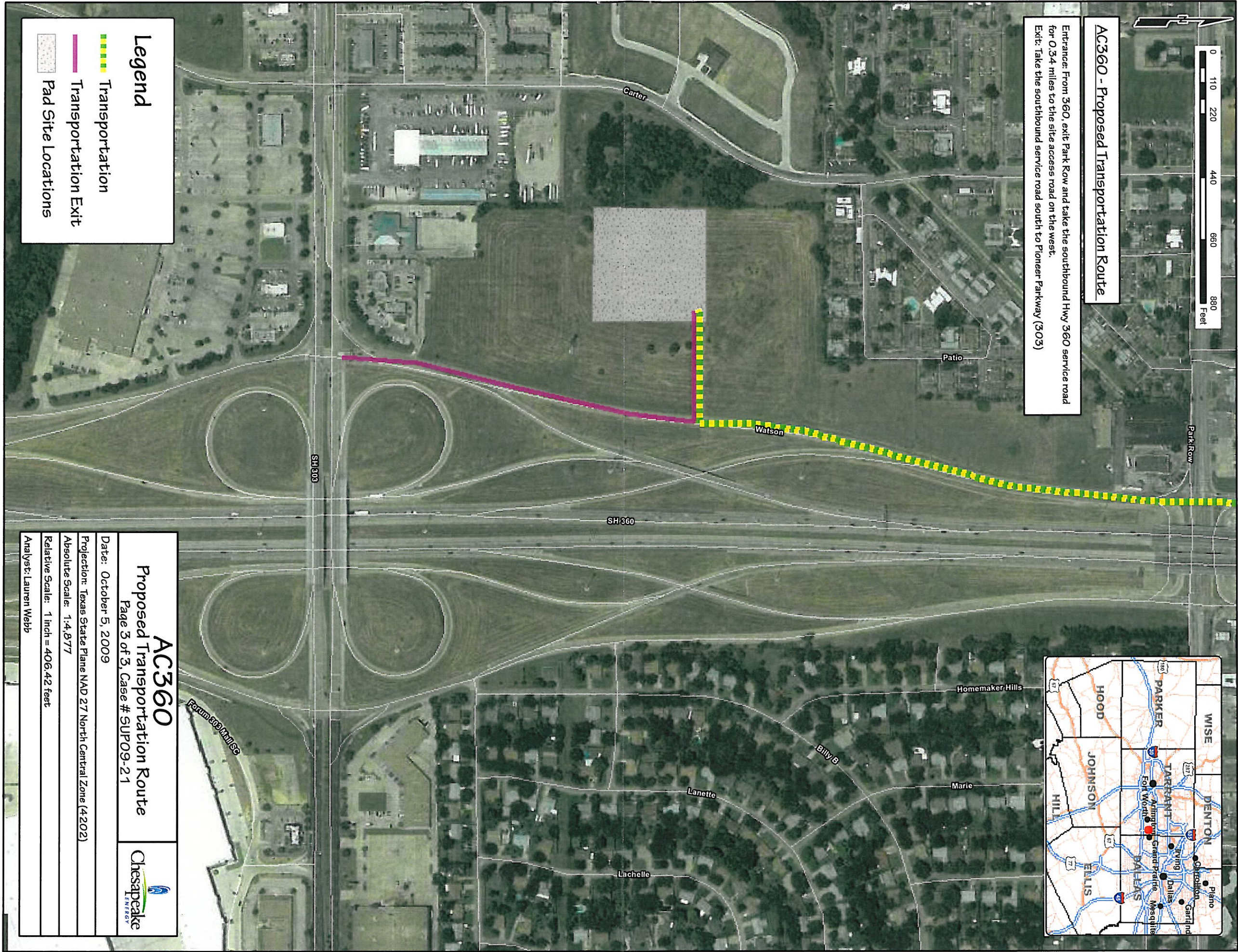
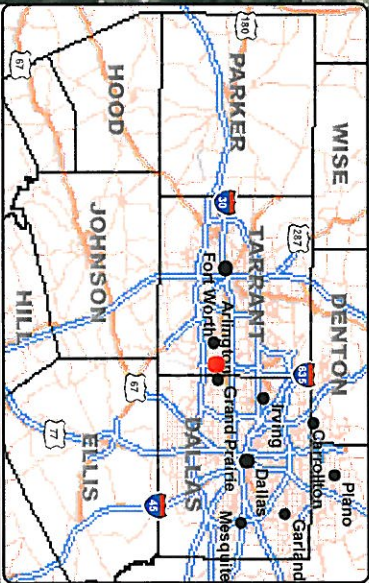
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AC360 - Proposed Transportation Route

Entrance: From 360, exit Park Row and take the southbound Hwy 360 service road for 0.34 miles to the site access road on the west.
Exit: Take the southbound service road south to Pioneer Parkway (303)

- Legend**
- Transportation
 - Transportation Exit
 - Pad Site Locations



AC360	
Proposed Transportation Route	
Page 3 of 3, Case # SUP09-21	
Date: October 5, 2009	
Projection: Texas State Plane NAD 27 North Central Zone (4202)	
Absolute Scale: 1:4,877	
Relative Scale: 1 inch = 406.42 feet	
Analyst: Lauren Webb	